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12 Attorneys for Defendant
13 AX TRANSPORTATION LLC

14 UNITED STATES DISTRICT COURT

15 DISTRICT OF NEVADA

16 KENNETH FANK, on behalf of himself
17 and all other similarly situated,

18 Case No. 2:20-cv-00996-KJD-VCF

19 Plaintiff,

20 vs.
21 AX TRANSPORTATION LLC,

22 **STIPULATION AND ORDER TO DISMISS
23 ACTION WITH PREJUDICE**

24 Defendant.

25 Plaintiff KENNETH FANK (“Plaintiff”) and Defendant AX TRANSPORTATION LLC
26 (“Defendant”), by and through their respective counsel of record, hereby stipulate and agree to the
27 dismissal of this action in its entirety, with prejudice, with each party to bear its own costs and
28 attorneys’ fees.

29 The parties agree that neither party shall be deemed to be a prevailing party in this action and

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1 that neither party will file for an award of attorneys' fees or costs pursuant to any rule, statute, or law,
2 whether local, state, or federal, in any forum that would be available.

3 Dated: September 25, 2020

Dated: September 25, 2020

4 GABROY LAW OFFICES

5 LITTLER MENDELSON, P.C.

6 */s/ Christian Gabroy, Esq.*

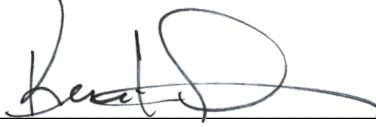
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Attorneys for Defendant
AX Transportation LLC

13 IT IS SO ORDERED:

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17 UNITED STATES DISTRICT JUDGE
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DATED: 9/29/2020

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